

Corporate
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GOVERNMENT OF PUERTO RICO
DEPARTMENT OF EDUCATION
ASSOCIATE SECRETARY OF SPECIAL EDUCATION

June 27, 2020

Division directors, institutes and offices, managers and sub-managers, directors of areas and programs, directors of the regional educational offices, superintendents of schools, directors of the Centers of Special Education Services, docent facilitators, school directors, regular teachers, teachers of special education and parents, mothers or persons in charge.

SIGNED LINK

Eliezer Ramos Pares
Associate Secretary

**PUBLIC POLICY TO ESTABLISH THE REGISTRY OF SPECIAL EDUCATION
ASSISTANTS TO THE IRREGULAR STUDENT OF THE DEPARTMENT OF
EDUCATION OF THE GOVERNMENT OF PUERTO RICO**

Introduction

The child is universally recognized as a human being that should be able to develop physically, mentally socially, morally and spiritually with freedom and dignity.¹ In its preamble, the Declaration of the Rights of the Child emphasizes the need to protect and provide a special care to the children. The same establishes, as a basic principle, the right of the child to have a special protection for the physical, mental and social development. In turn, a second principle is the right to an education and a special treatment for those children that suffer from any mental or physical incapacity. In consideration to the importance of the child, we proclaim The Declaration of the Rights of the Child in order that it can have an infancy that can have the rights in accordance with the principles stated in the Declaration itself.

¹ Declaration of the Rights of the Child, November 20, 1959, approved by the General Assembly of the United Nations.

In Puerto Rico, Article II, Section I of the Constitution of the Commonwealth consigns that "the dignity of the human being is inviolable and that all of the human beings are equal before the law." Moreover, Section V provides that "[e]very person is entitled to an education that tends to the full development of their personality and the fortification of the respect of the rights of the human being and the fundamental liberties". Similarly, the Department of Education channels these constitutional guarantees through its Organic Act, Law 85-2018, as amended, better known as the Law of Educational Reform of Puerto Rico.

Department of
P.O. BOX 190759, San Juan, PR 00919-0759 • Tel. (787) 773-6196 **DE** EDUCATION

The Department of Education does not discriminate in any manner due to age, race, color, sex, birth, condition as a veteran, political or religious belief, social origin or condition, sexual orientation or gender identity, physical or mental disability or impediment; nor for being a victim of domestic violence, sexual aggression or stalking.

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As a mission of the Department of Education, there is guaranteed a free education, that develops the capacity and the skills of the students for their development as independent citizens, capable of contributing to the common welfare. That is why, with the creation of the Associate Secretary of Special Education of the Department of Education, it is possible to offer the services of education and those related to students with disabilities from three (3) to twenty one (21) years of age, pursuant to the Federal legislation Individuals with Disabilities Education Act ², as amended. The IDEA Act assures the compliance with the unique necessities of the children with disabilities. The education for these children should be provided at no cost to the parents and should include education carried out in the classroom, in the home, in the hospitals and institutions and in other environments.

Similarly, the IDEA Act incorporates the guarantee of the supplementary services moderated to the necessities of the disabled students. The educational services, related and supplementary, are programmed to be offered to students with impediments in an individualized manner, determined according to their need.

The rendering of services to students of the public education system with special needs is a reiterated policy of the Government of Puerto Rico. Among these services which are offered are the supplementary which, in turn, include providing to the students the functions of the Assistants of Special Services. To that effect, diverse affirmative actions have been taken geared to achieving an optimum development and integration of this population in society. To achieve this integration as of the educational phases, the Department of Education established the figure of the Special Service Assistants. To that effect, diverse affirmative actions have been taken, geared to achieving an optimum development and integration of this population in society. To achieve this integration starting with the educational stages, the Department of Education established the figure of Special Service Assistants. These workers are of great value

² IDEA Act, by its initials in English, Public Act 108-446, 20 U.S.C. 1400 et seq.

for the agency because they are used to facilitate the integration of the students of Special Education to adult life, as of the educational phase, specifically attending the physical needs. In turn, among the purposes of this function is providing the special, essential and direct services to the students of special education with needs of mobility, feeding, hygiene, interpretation, in addition to requiring direct supervision and collaborating with the teachers, among others. "The specific functions to be performed by the Special Service Assistants will depend on the particular needs of the students that require the services".³

For the Department of Education, it has been a challenge to be able to manage the recruitment of over three thousand resources every school year.

As a result of this, and pursuant to the recently approved Law 113-2019, which amended Law 85-2018, Educational Reform Act of Puerto Rico, through this public policy there is created the "Registry of Assistants of Special Education of the Department of Education of the Government of Puerto Rico". The same will count on all of the information required by law and that is necessary to facilitate the process of recruitment of these assistants and that the same can be immediately referred to the schools that need the service for the benefit of the special education students. Similarly, said registry will avoid the routine tardiness that is presented with the delivery of documents, by certifying that the assistants are eligible to work and render the services in an immediate manner.

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Our children and youngsters are the angular stone of this society and are the essence of the Department of Education. It is up to all of us to carry out all of the affirmative actions necessary to facilitate obtaining the education and the services which pursuant to law corresponds to them. The benefits of all this process, in addition to the students

³ Manual of Procedures of Special Education Appendix II, Special Service Assistants.

that receive the same, will be the People of Puerto Rico, who will count with an inclusive society, of an advanced and equitable nature.

A. Legal Basis

The recently approved Law 113-2019, amended Law 85-2018, Law of Educational Reform of Puerto Rico, for the purpose of the creation and constant updating of a designated "Registry of Special Services Assistants of the Department of Education of the Government of Puerto Rico". The purpose of this registry is that it provides for the certification of compliance of the eligibility requirements to occupy the position of all those workers that perform tasks of Service Assistants in the Department of Education and that do not have a permanent status, in order to achieve a more expeditious process of the appointments of the same, and for other related purposes.

This public policy is established, also, pursuant to the provisions of Law No. 110 of June 26, 1958, as amended, better known as the "Law of the Irregular Personnel to the Service of the Commonwealth of Puerto Rico", the "Manual of Procedures for the Hiring of Personal Services of the Department of Education" of March 28, 2014 and Law 37-2018, as amended, better known as the "Law of Uniform Administrative Procedure of the Government of Puerto Rico".

B. Applicability

The provisions of this public policy apply to every worker that has performed as a Special Service Assistant, as well as to potential aspirants. This public policy pursues achieving as a goal the highest levels of excellence, efficacy, efficiency in the process of recruitment in the public service, through an agile system that tends to avoid unnecessary and redundant bureaucratic processes.

C. Registration Procedure

This "Registry of Special Service Assistants of the Department of Education of the Government of Puerto Rico", which will contain the information of every worker that

has performed as a Special Service Assistant in the Department of Education is created and updated. Specifically, the Registry will contain the following information:

- (a) Name and necessary information to contact the worker in an immediate manner.
- (b) Certification of compliance of the requirements regarding recruitment and selection to be able to work in the public service.
- (c) Information related to the areas or regions where the prior functions as Special Service Assistant have been performed.

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- (d) Prior evaluations for the services rendered, and
- (e) Any other information that it is estimated necessary and that advances the purposes of the Registry herein created.

It is provided that, if the Special Service Assistant complies with the requirements to form part of the Registry, the same will become part of the same and, if there is a need for the service, the same will be contacted immediately.

As part of the process of the Associate Secretary of Special Education (SAEE in Spanish) will send to the respective Regional Educational Office (ORE in Spanish) a list with the names of the irregular special service assistants that at the end of the school year 2019-2020 had an active contract. For the purpose of structuring and completing the registry, effective this next **July 30, 2020** every ORE will be opening the application process to belong to the aforementioned registry through the receipt of documents by electronic mail. For this we have authorized the following e-mails for each particular registry in each one of the educational regions:

ORE ARECIBO	Registry T1-Arecibo@de.pr.gov
ORE BAYAMON	Registry T1-Bayamon@de.pr.gov
ORE CAGUAS	Registry T1-Caguas@de.pr.gov
ORE HUMACAO	Registry T1-Humacao@de.pr.gov
ORE MAYAGUEZ	Registry T1-Mayaguez@de.pr.gov
ORE PONCE	Registry T1-Ponce@de.pr.gov
ORE SAN JUAN	Registry T1-SanJuan@de.pr.gov

If you are interested in belonging to several registries, by region, you must submit the documents to each particular e-mail. The necessary documents for the corresponding evaluation and belonging to the registry of assistants are:

- Certification of Compliance of the Administration for the Sustenance of Minors (ASUME)
- Certification of Filing of Tax Returns of the last 5 years
- Certification of Tax Debt (if you have a debt, present evidence of a payment plan)
- Certificate of Penal Antecedents
- Transcript of credits
- Certificate of Health in effect (if you have one, otherwise the agency will provide a form at the time of the contract)
- Copy of Performance Evaluations (if applicable)
- Certified copy of courses in Sign Language, Braille or Orientation and Mobility (if applicable)

In the case of new candidate, the Human Resources Unit of the corresponding ORE must send the credit transcript received to the Assistant Secretary of Human Resources to perform the Preliminary Evaluation. We emphasize that the preliminary evaluation will be applicable only for the candidates that did not work as

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assistants in the last school year (new) and will only be requested by the corresponding Human Resources Unit of ORE. The e-mail for the remittance of documents and the corresponding request for preliminary evaluation is Manqual_G@de.pr.gov.

If the person is selected for appointment there may be requested additional documents.

In the process the personnel previously named by the Department of Education may submit documents, as well as new applicants. Nevertheless, for the school year of 2020-2021, **the agency will consider for contracting the personnel appointed in the previous course prior to proceeding with an additional appointment.**

Once the record of candidates previously appointed by the agency has been exhausted, new aspirants will be considered for appointment. When the compliance of the documents required is evaluated, the candidate may be referred for the administration of drug tests.

It is important to mention that the creation of this registry and the inclusion of the candidate in the same, does not establish an expectation of final appointment. This is due to the fact that all of the candidates must comply with the ordinary processes such as:

- Creating and maintaining their profile updated in the RECLUTA platform. For the same, they can access the following link: <http://recluta.dde.pr/>
- Request and comply with the requirements of the notice once it is published in RECLUTA. This action is separate from the process of Registry of Service Assistants established in this memorandum. **It is necessary to complete the process of registration prior to requesting in the notices.**

- Comply with any other requirement established by the Assistant Secretary of Human Resources, the Associated Secretary of Special Education or the Regional Education Office.

We understand that this public policy represents a great benefit for every student of Special Education since it is one more step to guarantee obtaining the education and the services which by law corresponds to them. "There is no cause that deserves a higher priority than the protection and the development of the child."⁴

This public policy is immediately effective and leaves without effect any other document whose directives are in conflict in their entirety or partially with the provisions established herein.

⁴ Action Plan of the Worldwide Summit in favor of infancy, September 30. 1990.